THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11995 of 2006

13.4.2007

Between:

Garlpati Maresh, S/o.Dharmaiah

… Petitioner

AND

The District Collector, Krishna
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11995 of 2006

ORDER:

The writ petition is filed seeking a writ of Mandamus declaring the action of the third respondent in proposing to construct Anganwadi Center (Code No.61) in private land as illegal and arbitrary and for a consequential direction to the third respondent to construct Anganwadi Center (Code No.61) in plot No.39 in survey No.1303/4 in New Harijanawada of Narasimharaopalem village of Chatrai Mandal in Krishna District.

It is the case of the petitioner that an Anganwadi Center was started in New Harijanawada of the village on 15.8.2002 under Integrated Child Development Scheme (ICDS). When the officials of the ICDS requested the Gram Panchayat to provide suitable place nearby the school, Gram Panchayat conducted a general body meeting on 06.12.2002 and unanimously resolved to provide plot No.39 in survey No.1303/4 for construction of Anganwadi Center. It is also the case of the petitioner that the Chief Executive Officer, Zilla Parishad, accorded sanction by proceedings dated 29.5.2004 for construction of Anganwadi Center at an estimated cost of Rs.1,50,000/- from Zilla Parishad funds. In spite of the plot allotted by the Gram Panchayat, third respondent is now proposing to construct Anganwadi Center in a private land at a distance of 1.5 KM from the original place.

The question whether Anganwadi Center should be constructed in the plot allotted by the Gram Panchayat or in private land cannot be decided in a writ petition. If the petitioner is aggrieved by such action, he can as well approach the Chief Executive Officer, Zilla Parishad, who is the sanctioning authority. In this writ petition, such questions cannot be decided.

The writ petition is misconceived and is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

April 13, 2007.
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